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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,317	07/31/2001	Hannu J. Jokinen	NOKM.011PA	3739

7590 02/18/2005

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EXAMINER	
TORRES, MARCOS L	

ART UNIT	PAPER NUMBER
2687	

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/919,317	JOKINEN ET AL.	
	Examiner	Art Unit	
	Marcos L Torres	2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24 and 26-47* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24 and 26-47* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 July 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed July 19, 2004 have been fully considered but they are not persuasive.

Regarding applicant's arguments to claims 1 and 46 that Moles fails to teach a provisioning procedure to automatically trigger after a determination has been made that an unprovisioned terminal exits, because it is triggered spontaneously, in response to a mobile station upgrade request or periodically; the portion cited by the applicant to support these arguments are directed to other different embodiments. Moles discloses teaching a provisioning procedure to automatically trigger after a determination based on data of the mobile station in HLR has been made that an unprovisioned terminal exits (see col. 6, lines 28-44).

Regarding applicant's arguments that the provisioning process is initiated before any mobile station needs provisioning; in the present application the step of automatically detecting is done before the provisioning. Moles discloses in column 6, lines 30-33, detect the unprovisioned terminal and then perform the provisioning. Also, the idea of provisioning is to update the terminal with new data, therefore both systems must have the data before the configuration update step is done; because if not the update will contain no data, and there would be no reason to do the provisioning at all. Last, the claims in this application recite "comprising:" that means that it is not only limited to those steps, it only have to include those steps.

Regarding applicant's arguments that Mole fails to disclose to provide a notification to the server, Moles discloses sending a notification to the server with configuration data (see col. 6, lines 28-36; col. 7, lines 12-17).

2. Applicant's arguments with respect to claim 28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 24 and 45-46 rejected under 35 U.S.C. 102(e) as being anticipated by Moles (U.S. Patent US006615038B1).

As to claim 1, Moles discloses a method for initiating provisioning procedures for terminals operable in a mobile communications network (see col. 1, lines 9-14), comprising: automatically detecting an unprovisioned terminal in the mobile communications network (see col. 6, lines 28-33); and providing a notification to a provisioning server to initiate the provisioning procedures for the unprovisioned terminal in response to the automatic detection of the unprovisioned terminal (see col. 6, lines 33-39; col. 8, lines 26-65).

As to claim 24, Moles discloses the method further comprising generating provisioning data by the provisioning server, and transmitting the provisioning data from the provisioning server to the unprovisioned terminal (see col. 8, lines 49-59); receiving

an equipment identifier identifying the unprovisioned terminal and correlating the equipment identifier to a matching terminal type; and wherein generating the provisioning data comprises retrieving default provisioning data corresponding to the matching terminal type (see col. 7, line 60 – col. 8, line 13).

As to claim 45, Moles discloses the provisioning system wherein the provisioning server comprises: a phone capability database to store mobile terminal models corresponding to each of a plurality of available equipment identifiers; a configuration messages database to store provisioning data for each mobile terminal model; and a processor configured to obtain the provisioning data for the unprovisioned terminal by retrieving the provisioning data for the mobile terminal model corresponding to the equipment identifier of the unprovisioned terminal (see col. 6, line 53 – col. 8, line 59).

Regarding claim 46 is the corresponding apparatus claims of method claims 1. Therefore, claim 46 is rejected for the same reason shown above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 2-4, 7-11, 19-22, 28-29 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moles (U.S. Patent US006615038B1) in view of Meche (U.S. Patent 5,809,413).

As to claim 2, Moles discloses the method further comprising monitoring for a subscriber identifier identifying a particular subscriber and an equipment identifier identifying the unprovisioned terminal (see col. 6, lines 28-33). Moles does not specifically disclose wherein automatically detecting an unprovisioned terminal comprises determining that the subscriber and equipment identifiers do not collectively correspond to known subscriber and equipment affiliations. Meche discloses wherein automatically detecting an unprovisioned terminal comprises determining that the subscriber and equipment identifiers do not collectively correspond to known subscriber and equipment affiliations (see col. 5, line 22 - col. 8, line 36). Therefore, it would have

been obvious to one of the ordinary skill in the art at the time of the invention to add this teaching to the Moles method for enhanced security in the wireless communication system.

As to claim 3, Moles discloses the method wherein automatically detecting an unprovisioned terminal in the mobile communications network comprises: receiving an equipment identifier identifying the unprovisioned terminal (see col. 8, lines 35-40); and comparing the equipment identifier as an affiliated identifier pair to stored identifier pairs comprising known subscriber equipment affiliations (see col. 6, line 5 – col. 7, line 34; see col. 8, lines 49-52). Moles does not specifically discloses using a subscriber identifier. In an analogous art, Meche discloses using a subscriber identifier (see col. 4 lines 40-54), thereby allowing finding a user by subscriber number. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this teaching to the Moles system for personal updated of the equipment.

As to claim 4, Moles discloses the method further comprising storing the stored identifier pairs in a Home Location Register (HLR) at the network (see col. 6, lines 40-41).

As to claim 7, Moles discloses the method wherein each of the known subscriber equipment affiliations comprises at least one equipment identifier for each subscriber corresponding to a subscriber identifier (see col. 6, line 5 – col. 7, line 34; col. 8, lines 49-52).

As to claims 8-9, 19 and 21, Moles discloses everything claimed as explained above except for the method receiving a subscriber identifier and an equipment

identifier comprises receiving at least an International Mobile Subscriber Identity (IMSI) and an International Mobile Equipment Identity (IMEI); wherein comparing the affiliated identifier pair to stored identifier pairs comprises comparing the affiliated identifier pair comprising the IMSI and the IMEI to a plurality of stored IMSI/IMEI pairs. Meche discloses receiving a subscriber identifier and an equipment identifier comprises receiving at least an International Mobile Subscriber Identity (see col. 4 lines 40-54) and an International Mobile Equipment Identity (see col. 3, lines 16-18); wherein comparing the affiliated identifier pair to stored identifier pairs comprises comparing the affiliated identifier pair comprising the IMSI and the IMEI to a plurality of stored IMSI/IMEI pairs. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add these teachings to the Moles method for a fast and positive identification of the wireless devices.

As to claims 10 and 11, Moles discloses everything claimed as explained above except for the method further comprising availing the subscriber identifier and the equipment identifier to the mobile communications network in connection with a location update procedure. Meche discloses the method further comprising availing the subscriber identifier and the equipment identifier to the mobile communications network in connection with a location update procedure (see col. 4, lines 40-54). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine these teachings in the Moles method for an easier implementation.

As to claim 20, Moles discloses everything claimed as explained above except for the method wherein the subscriber identifier further comprises a Mobile Station

ISDN/PSTN Number (MSISDN). Meche discloses wherein the subscriber identifier is IMSI and IMEI as previously indicated. Since the MSISDN is also another identifier it would be obvious to one of the ordinary skill in the art at the time of the invention to use any mobile identifier number for identification purposes.

As to claim 22, Moles discloses the method further comprising: generating provisioning data at the provisioning server, wherein generating the provisioning data comprises correlating the equipment identifier with corresponding predetermined provisioning data; and transmitting the predetermined provisioning data from the provisioning server to the unprovisioned terminal (see col. 7, line 60 – col. 8, line 13).

As to claim 28, Moles discloses a provisioning system for automatically provisioning terminals in a mobile communications network (see col. 1, lines 9-15), comprising: a detection module coupled to the mobile communications network to monitor for at least an equipment identifier transmitted from an unprovisioned terminal; a provisioning trigger module coupled to the detection module to generate a provisioning notification based on the equipment identifier indicating that the unprovisioned terminal has been introduced on the mobile communications network (see col. 6, lines 29-33); and a provisioning server coupled to receive the provisioning notification and to instigate provisioning procedures with the unprovisioned terminal in response to the provisioning notification (see col. 7, lines 12-20). Moles does not specifically discloses using a subscriber identifier. In an analogous art, Meche discloses using a subscriber identifier (see col. 4 lines 40-54), thereby allowing finding a user by subscriber number. Therefore, it would have been obvious to one of the ordinary skill in

the art at the time of the invention to add this teaching to the Moles system for personal updated of the equipment.

As to claim 29, Moles discloses the provisioning system wherein the detection module is integrated with an existing network element of the mobile communications system (see col. 8, lines 31-40).

As to claim 47, Moles discloses a provisioning system for automatically provisioning terminals in a mobile communications network, comprising: means for monitoring for a subscriber identifier identifying a particular subscriber and an equipment identifier identifying an unprovisioned terminal; means for automatically detecting the unprovisioned terminal in the mobile communications network, and means for providing a notification to a provisioning server to initiate a provisioning procedure for the unprovisioned terminal in response to the automatic detection of the unprovisioned terminal (see col. 6, line 5 – col. 8, line 59). Moles does not specifically discloses including means for determining that the subscriber and equipment identifiers do not collectively correspond to known subscriber and equipment affiliations. Meche discloses wherein automatically detecting an unprovisioned terminal comprises determining that the subscriber and equipment identifiers do not collectively correspond to known subscriber and equipment affiliations (see col. 5, line 22 - col. 8, line 36). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this teaching to the Moles method for enhanced security in the wireless communication system.

9. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moles (U.S. Patent US006615038B1) in view of Meche (U.S. Patent 5,809,413) as applied to claims 2-4, 7-11, 19-22, 28-29 and 47 above, and further in view of Saegusa (U.S. Patent US005365572A).

As to claims 12 and 13, Moles discloses everything claimed as explained above except for the method wherein automatically detecting further comprises recognizing that the affiliated identifier pair does not match any of the stored identifier pairs in response to the comparison. In an analogous art, Saegusa discloses the method wherein automatically detecting further comprises recognizing that the affiliated identifier pair does not match any of the stored identifier pairs in response to the comparison (see col. 5, lines 41-55). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to use this old technique for the simple purpose of logic decisions.

10. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moles (U.S. Patent US006615038B1) in view of Meche (U.S. Patent 5,809,413) as applied to claims 2-4, 7-11, 19-22, 28-29 and 47 above, and further in view of Nakatsuyama (U.S. Patent US006658231B2).

As to claims 15-16 and 17, Moles discloses the method wherein: receiving the subscriber identifier and the equipment identifier comprises periodically monitoring the affiliated identifier pair at the provisioning server through a signaling channel; comparing the subscriber identifier and the equipment identifier comprises comparing the affiliated identifier pair to stored identifier pairs at the provisioning terminal; and providing a

notification to the provisioning server comprises providing the notification internally at the provisioning server(see col. 6, line 1-col. 7, line 60). Moles does not specifically disclose continuously monitoring. In an analogous art, Nakatsuyama discloses continuously monitoring an identifier (see col. 8, lines 45-46), thereby allowing a faster response of the system. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this technique to the Moles method for faster providing.

11. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moles (U.S. Patent US006615038B1) in view of Meche (U.S. Patent 5,809,413) as applied to claims 2-4, 7-11, 19-22, 28-29 and 47 above, and further in view of Rangarajan (U.S. Patent US006757544B2).

As to claim 26, Moles discloses the method further comprising to notify the unprovisioned terminal of the transmission of the provisioning data (see col. 7, lines 49-51). Moles does not specifically disclose using Wireless Application Protocol (WAP) push message. In an analogous art, Rangarajan discloses using Wireless Application Protocol (WAP) push message to send data (see col. 6, lines 47-50). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to use any available protocol for an easier implementation of the service and compatibility.

12. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moles (U.S. Patent US006615038B1) in view of Meche (U.S. Patent 5,809,413) as applied to claims 2-4, 7-11, 19-22, 28-29 and 47 above, and further in view of Sutinen (U.S. Patent US006839564B2).

As to claim 27, Moles discloses the method further comprising to notify the unprovisioned terminal of the transmission of the provisioning data (see col. 7, lines 49-51). Moles does not specifically disclose using SyncML-based protocol. In an analogous art, Sutinen discloses wherein transmitting of data between the terminal and the server is using SyncML-based protocol (see col. 1, lines 43-48). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this teaching for an easier implementation of the service and compatibility.

13. Claims 5, 30-34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moles in view of Raith (U.S Patent US005404355A)

As to claims 5 and 30-31, Moles discloses the method/system of comparing the affiliated identifier pair to the stored identifier (see col. 8, lines 49-52). Moles does not specifically disclose comparing the affiliated identifier pair to the stored identifier pairs at a Mobile Switching Center (MSC). Raith discloses comparing the affiliated identifier pair to the stored identifier pairs at a Mobile Switching Center (see col. 2, lines 40-42), thereby allowing to identify a. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this teaching to the Moles method for faster response.

As to claim 32, Moles discloses the provisioning system further comprising a database to store the known subscriber-equipment groups (see fig. 3, item 310).

As to claim 33, Moles discloses the provisioning system wherein the database comprises a Home Location Register (HLR) operable in the mobile communications system, wherein each record of the HLR comprises a subscriber data (see col. 6, lines

40-43). Moles also discloses to store a subscriber identity field to store the subscriber identifier; and equipment identify field to store the equipment identifier (see col. 6, line 53 – col. 8, line 25). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to use more memory in the HLR for the simple purpose of saving money in resources.

As to claims 34 and 36, Moles discloses the provisioning system wherein the provisioning trigger module is integrated with the MSC to generate the provisioning notification (see col. 6, lines 5-27).

14. Claims 6, 38-41 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moles in view Lager (U.S. Patent US006636502B1).

As to claims 6, 38-39, 41 and 43, Moles discloses the method/system of comparing the affiliated identifier pair to the stored identifier pairs (see col. 8, lines 49-52). Moles does not specifically disclose comparing the affiliated identifier pair to the stored identifier pairs at a Serving GPRS Support Node (SGSN). Lager discloses comparing the affiliated identifier pair to the stored identifier pairs at a Serving GPRS Support Node (see col. 12, line 65 – col. 13, line 12). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this teaching to the Moles method for faster response.

As to claim 40, Moles discloses the provisioning system wherein the database comprises a Home Location Register (HLR) operable in the mobile communications system, wherein each record of the HLR comprises a subscriber data (see col. 6, lines 40-43). Moles also discloses to store a subscriber identity field to store the subscriber

identifier; and equipment identify field to store the equipment identifier (see col. 6, line 53 – col. 8, line 25). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to use more memory in the HLR for the simple purpose of saving money in resources.

15. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moles (U.S. Patent US006615038B1) in view of Meche (U.S. Patent 5,809,413) as applied to claims 2-4, 7-11, 19-22, 28-29 and 47 above, and further in view of Chatterjee (U.S. Patent 6,282,421).

As to claim 14, Moles discloses everything claimed as explained above (see claim 3) except for the method further comprising providing the subscriber identifier and the equipment identifier by the unprovisioned terminal upon power up of the unprovisioned terminal. Chatterjee discloses the method further comprising providing the subscriber identifier and the equipment identifier by the unprovisioned terminal upon power up of the unprovisioned terminal (see col. 4, lines 20-29). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this teaching for a faster providing.

16. Claims 18 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moles (U.S. Patent US006615038B1) in view of Meche (U.S. Patent 5,809,413) as applied to claims 2-4, 7-11, 19-22, 28-29 and 47 above, and further in view of Donovan (U.S. Patent US006519468B1).

As to claim 18, Moles discloses the method wherein creating the notification message comprises including the subscriber and equipment identifiers (see col. 6, line 5

– col. 8, line 65). Moles does not specifically disclose creating a Short Messaging Service (SMS) and a user data field. Donovan discloses creating a Short Messaging Service (SMS) and a user data field (see col. 1, lines 48-56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this teaching for an easier implementation of the service.

As to claim 35, Moles discloses to receive and transmit the provisioning notification message including at least the subscriber identifier and the equipment identifier (see col. 6, line 5 – col. 7, line 34; col. 8, lines 49-52). Moles does not specifically disclose the provisioning system further comprising a Short Message Service Center (SMSC) to receive and to transmit the provisioning notifications from the MSC. Donovan discloses the provisioning system further comprising a Short Message Service Center (SMSC) to receive and to transmit the provisioning notifications from the MSC (see col. 5, lines 30-34). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add these techniques to the Moles system for an easier implementation.

17. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moles in view of Meche as applied to claims 2, 8-13, 15-17, 19-22, 26-27 and 47 above, and further in view of Vucetic (U.S. Patent US005819177A).

As to claim 23, Moles discloses the method/system wherein automatically transmitting the notification to the provisioning server through the mobile communications network comprises (see col. 6, lines 33-39; col. 8, lines 26-65). Moles does not specifically disclose initiating an alarm at a network management system

(NMS); forwarding the notification to the NMS. Vucetic discloses initiating an alarm at a network management system (NMS); forwarding the notification to the NMS (see col. 5, lines 29-31). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this technique for a reliable method.

18. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moles in view of Raith as applied to claims 5, 30-34 and 36 above, and further in view of Vucetic (U.S. Patent US005819177A).

As to claim 37, Moles discloses the method/system wherein automatically transmitting the notification to the provisioning server through the mobile communications network comprises (see col. 6, lines 33-39; col. 8, lines 26-65). Moles does not specifically disclose initiating an alarm at a network management system (NMS); forwarding the notification to the NMS. Vucetic discloses initiating an alarm at a network management system (NMS); forwarding the notification to the NMS (see col. 5, lines 29-31). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this technique for a reliable method.

19. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moles in view of Lager as applied to claims 6, 38-41 and 43 above, and further in view of Donovan.

As to claim 42, Moles discloses the provisioning system further comprising to transmit and receive the provisioning notification to the provisioning server, message including at least the subscriber identifier and the equipment identifier (see col. 6, line 5 – col. 8, line 59). Moles does not specifically discloses a Short Message Service Center

(SMSC) or SGSN, and wherein the provisioning notification is dispatched as a Short Messaging Service (SMS). Lager discloses using a Serving GPRS Support Node (see col. 12, line 65 – col. 13, line 12). Donovan discloses the provisioning system further comprising a Short Message Service Center (SMSC) to receive and to transmit the provisioning notifications from the MSC (see col. 5, lines 30-34). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add these techniques to the Moles system for an easier implementation.

As to claim 44, Moles discloses to transmit the provisioning notification to the provisioning server in response thereto (see col. 6, line 5 – col. 8, line 59). Moles does not specifically discloses the provisioning system further comprising a Network Management System (NMS) to receive the provisioning notification from the SGSN as an NMS alarm signal, and Lager discloses using a Serving GPRS Support Node (see col. 12, line 65 – col. 13, line 12). Vucetic discloses initiating an alarm at a network management system (NMS); forwarding the notification to the NMS (see col. 5, lines 29-31). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to add this technique for a reliable method.

Conclusion

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Hand delivered responses should be brought to:

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L Torres whose telephone number is 703-305-1478. The examiner can normally be reached on 8:00am-5:30pm alt. Wednesday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G Kincaid can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marcos L Torres
Examiner

ELISEO RAMOS-FELICIANO
PATENT EXAMINER
2/15/05